

EXHIBIT E

SOCIAL MEDIA CASES
JCCP5255, 12/07/2023

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MOTION

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT 12

HON. CAROLYN B. KUHL, JUDGE

COORDINATION PROCEEDINGS)
SPECIAL TITLE (RULE 3.550)) JCCP NO. 5255
SOCIAL MEDIA CASES)
_____)

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REPORTER'S TRANSCRIPT OF PROCEEDINGS

THURSDAY, DECEMBER 7, 2023

APPEARANCES:

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GAIL PEEPLES, CSR NO. 11458
PRO TEMPORE OFFICIAL REPORTER

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EMANUELLA PAULOS

FOR DEFENDANTS: AMY FITERMAN

***APPEARANCES NOT STATED ON THE RECORD TAKEN FROM MINUTE
ORDER

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MOTION
Page 7

1 ALPHABET.

2 MS. EHLEH: GOOD MORNING, YOUR HONOR. ROSE EHLEH
3 FROM MUNGER TOLLES & OLSON FOR SNAP.

4 MR. BLAVIN: GOOD MORNING, YOUR HONOR. JONATHAN
5 BLAVIN FROM MUNGER TOLLES FOR SNAP AS WELL.

6 THE COURT: OKAY. EVERYBODY CAN BE SEATED.

7 AND IT'S YOUR CHOICE WHETHER TO USE THE
8 MICROPHONES FROM WHERE YOU ARE OR WHATEVER IS EASY FOR
9 YOU IN THE STATUS CONFERENCE.

10 OKAY, THANK YOU, AS ALWAYS, FOR THE REPORT.
11 IT WAS A FEW HOURS LATE, BUT WE MANAGED TO GET READY EVEN
12 THOUGH YESTERDAY I WAS FULLY ENGAGED IN ANOTHER ISSUE.

13 HOWEVER -- SO, I WANT TO START WITH
14 DISCOVERY VIS-A-VIS THE FEDERAL COURT BECAUSE IT COMES UP
15 IN VARIOUS WAYS IN THE SPECIFICS WE'RE GOING TO TALK
16 ABOUT.

17 SO, I HAVE SPOKEN WITH JUDGE GONZALEZ
18 ROGERS. AND THE FEDERAL COURT IS GOING TO PRIMARILY
19 HANDLE DISCOVERY WITH SOME CARVEOUTS. THIS COURT WILL,
20 OF COURSE, SET ITS OWN DATES FOR PRETRIAL EVENTS AND FOR
21 TRIAL. AND IF THE DISCOVERY IN FEDERAL COURT IS NOT
22 PROCEEDING IN THE WAY THAT THOSE DEADLINES CAN BE MET,
23 WE'LL HAVE A DISCUSSION ABOUT FURTHER COORDINATION
24 EFFORTS BETWEEN THE MDL AND THIS CASE.

25 I DON'T ANTICIPATE PROBLEMS GIVEN THE FOCUS
26 OF JUDGE GONZALES ROGERS AND THE NEW MAGISTRATE JUDGE ON
27 THE CASE. SHE HAS A NUMBER OF DATES SET OUT IN THE
28 FUTURE AS YOU KNOW. AND, SO, I AM NOT ANTICIPATING

1 MOTION IN LIMINE ON THAT ISSUE, YOU CAN DO THAT ANY TIME.
2 IF YOU DO THAT -- WE WOULD WANT TO TALK ABOUT THE
3 SCHEDULING FIRST. BUT, IF YOU DECIDED TO DO THAT, THEN
4 I'D HAVE TO MAKE SURE TO ALLOW PLAINTIFFS SUFFICIENT TIME
5 TO DO EXPERT DISCOVERY ON THAT.

6 THIS DOESN'T STRIKE ME -- AND KEEPING AN
7 OPEN MIND, THIS DOES NOT STRIKE ME AS THE TYPE OF CASE
8 WHERE GENERAL CAUSATION IS GOING TO BE ABLE TO BE PULLED
9 APART FROM SPECIFIC CAUSATION. WE'RE TALKING ABOUT
10 MENTAL ILLNESS HERE AND NOT A PHYSICAL CHANGE IN THE BODY
11 LIKE MESOTHELIOMA OR DIABETES, WHICH ARE THINGS THAT
12 INVOLVE IN TOXIC EXPOSURE OR DRUG CASES.

13 SO, I WOULD NOT PLAN DISCOVERY OR OTHER
14 PRETRIAL EVENTS AROUND TRYING TO DETERMINE GENERAL
15 CAUSATION IN THIS CASE. SO, THAT WOULD NOT BE PART OF MY
16 PLANNING FOR THE CASE.

17 HOWEVER, IF DEFENDANTS TAKE THE INITIATIVE
18 AND YOU FILE A MOTION TO -- MOTION FOR SUMMARY JUDGMENT
19 OR AN EARLY MOTION IN LIMINE, I WILL -- I WILL DEAL WITH
20 THAT EARLY. BUT, PLAINTIFFS WILL THEN HAVE TO GET
21 SUFFICIENT DISCOVERY TO DEAL WITH IT.

22 SO, IF YOU'RE FAMILIAR WITH CALIFORNIA
23 PROCEDURAL CASES, APPELLATE CASES, THERE WAS A CASE
24 CALLED COTTLE. C-O-T-T-L-E. AND THAT WAS IN THE
25 NINETIES, MAYBE EVEN IN THE EIGHTIES. BUT, THAT WAS A
26 CONCEPT WHERE THE PLAINTIFFS WERE REQUIRED AT AN EARLY
27 STAGE OF A COMPLEX CASE TO PROVE-UP ONE ELEMENT OF THEIR
28 CASE. AND, SO, THAT IS AN AUTHORIZED PROCESS.

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
DEPARTMENT 12

COORDINATION PROCEEDINGS)
SPECIAL TITLE (RULE 3.550))JCCP NO. 5255
SOCIAL MEDIA CASES)REPORTER'S
_____) CERTIFICATE

I, GAIL PEEPLES, OFFICIAL REPORTER OF THE
SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF LOS
ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES 1
THROUGH 51, INCLUSIVE, COMPRISE A FULL, TRUE, AND CORRECT
TRANSCRIPT OF THE PROCEEDINGS HELD IN DEPARTMENT 12 ON
DECEMBER 7, 2023, IN THE MATTER OF THE ABOVE-ENTITLED
CAUSE.

DATED THIS 8TH DAY OF DECEMBER, 2023.



GAIL PEEPLES, CSR NO. 11458
PRO TEMPORE REPORTER